PART TWO:

RECOVERY IMPLEMENTATION PROGRAM
RECOVERY ACTION PLAN
(RIPRAP)

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TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 RECOVERY PROGRAM PURPOSE

The purpose of the Recovery Implementation Program for Endangered Fishes in the Upper Colorado River Basin (Recovery Program) is to recover the humpback chub (*Gila cypha*), bonytail (*G. elegans*), Colorado pikeminnow (*Ptychocheilus lucius*), and razorback sucker (*Xyrauchen texanus*) while providing for existing and new water development to proceed in the Upper Basin (i.e., Upper Colorado River Basin upstream of Glen Canyon Dam, excluding the San Juan River; Cooperative Agreement, 1988) in compliance with the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et. seq.*). Further, the Recovery Program is intended to serve as a reasonable and prudent alternative to avoid the likelihood of jeopardy to the continued existence of the endangered fishes and to avoid the likely destruction or adverse modification of critical habitat in Section 7 consultations on depletion impacts related to new projects and all impacts (except the discharge of pollutants such as trace elements, heavy metals, and pesticides) associated with historic water projects in the Upper Basin.

1.2 SPECIES RECOVERY GOALS

The overall goal for recovery of the four endangered fishes is to achieve naturally self-sustaining populations and to protect the habitat on which those populations depend. Recovery plans for these species have been developed under Section 4(f) of the Endangered Species Act (U.S. Fish and Wildlife Service 1990a, 1990b, 1991, 1998), and the final rule determining critical habitat was published in the *Federal Register* on March 21, 1994 (59 FR 13374; Appendix). The recovery plans provide a biological and research-oriented approach to recovery and include a recommendation for detailed management and site-specific implementation plans. They refer to species recovery in both the Upper and Lower basins, but fail to include specific demographic criteria for self-sustaining, viable populations and site-specific management actions/tasks to minimize or remove threats.

On August 1, 2002, the U.S. Fish and Wildlife Service (Service) completed final recovery goals for the endangered fishes that will serve as amendments and supplements to the existing recovery plans (U.S. Fish and Wildlife Service 2002a, 2002b, 2002c, 2002d). According to Section 4(f)(1) of the Endangered Species Act, these recovery goals describe what is necessary for downlisting and delisting each of the species by identifying site-specific management actions/tasks necessary to minimize or remove threats; establishing objective, measurable criteria that consider demographic and genetic needs for self-sustaining, viable populations; and providing estimates of the time to achieve recovery.

In the context of the recovery goals, recovery of humpback chub, bonytail, and razorback sucker is considered across the Upper and Lower basins (each basin is treated as a “recovery unit”), with separate recovery criteria developed for each of the two recovery units. Recovery of Colorado pikeminnow is considered necessary only for the Upper Colorado River Basin (including the San Juan River subbasin). The

Recovery Program and the San Juan River Basin Recovery Implementation Program provide for the coordinated implementation of management actions/tasks that contribute to recovery in the Upper Basin recovery unit.

1.3 RECOVERY ACTION PLAN PURPOSE

This Recovery Implementation Program Recovery Action Plan (RIPRAP) has been developed using the best, most current information available and the recovery goals for the four endangered fish species. The RIPRAP is intended to provide an operational plan for implementing the Recovery Program, including development of the Recovery Program's annual work plan and future budget needs. Specifically, the RIPRAP identifies the feasible actions that are necessary to recover the endangered fishes, including schedules and budgets for implementing those actions. The RIPRAP also identifies the specific recovery actions that must be accomplished in order for the Recovery Program to serve as a reasonable and prudent alternative to avoid the likelihood of jeopardy to the continued existence of the endangered fishes and to avoid the likely destruction or adverse modification of critical habitat in Section 7 consultations for depletion impacts of new projects and all existing or past impacts related to historic water projects (except impacts from contaminants) in the Upper Basin, in accordance with the October 15, 1993 Section 7 Agreement (Revised March 8, 2000). The RIPRAP was developed in support of that Agreement.

1.4 ESTIMATED COST OF RECOVERY ACTIONS

The estimated total budget for the Recovery Program from FY 2003–FY 2008 is approximately $55.6 million (see Section 5.0 on page 38). Funding for the Recovery Program is expected to come from the following sources:

a. An annual operating budget of approximately $5.7 million, totaling roughly $17.4 million from FY 2003–FY 2008 as it is adjusted annually for inflation, and increased for operation and maintenance of capital projects as they are completed. The source of these funds will be: Western Area Power Administration and the U.S. Bureau of Reclamation (hydropower revenues); the U.S. Fish and Wildlife Service; and the States of Colorado, Utah, and Wyoming. Additional annual funding will come from water development depletion fees. Under the Recovery Program, proponents of new water projects which undergo Section 7 Endangered Species Act consultation have agreed to pay a one-time depletion fee based on a project's average annual depletion. The rate is adjusted annually for inflation and as of October 1, 2002 it was $15.68 per acre foot. The actual rate of water development has not been projected.

b. Approximately $62 million will be spent between FY 1999 and FY 2008 for capital projects, including: acquisition of water and water rights to implement and maintain adequate instream flows for the fish; building fish passages and hatcheries; and restoring flooded bottomlands. P.L. 106-392 authorized this funding in October 2000 and P.L. 107-375 extended construction

authority from 2005 to 2008. The capital funding total is capped; however, the actual cost of any one capital project will depend on final planning, design and budgeting. Costs for individual projects will be modified to more accurately reflect expected costs as the work plans are updated annually.

1.5 MEASURING PROGRESS TOWARD RECOVERY AND SCHEDULING RIPRAP ACTIVITIES

To achieve recovery in the Upper Basin, it will be essential to fully implement all of the actions in the RIPRAP; this will be accomplished only through cooperation by all Program participants. In general, actions will be scheduled such that recovery will be achieved in the most expeditious and cost-effective manner possible. However, decisions associated with ongoing Section 7 consultations may require some adjustment in the schedule to ensure recovery of the endangered fishes while water development continues.

Recovery actions likely to result in a measurable population response, a measurable improvement in habitat for the fishes, legal protection of flows needed for recovery, or a reduction in the threat of immediate extinction have been determined by the Service to be most important in determining the extent to which the Recovery Program provides the reasonable and prudent alternatives to jeopardy for projects undergoing Section 7 consultation. These actions are identified by the carat ">" in the Action Plans. Actions that the Service believes will contribute to the RIPRAP serving as a reasonable and prudent alternative to adverse modification of critical habitat are identified by an asterisk (*). These carated and (or) asterisked actions will generally be given highest priority.

The Recovery Program continually evaluates the outcome of completed RIPRAP actions to determine their effectiveness in helping to achieve recovery. Ultimately, success of recovery efforts will be measured by species response (change in population size, distribution, composition, etc.). However, it may be many years before such responses are evident. In the interim, the Recovery Program also will gage its progress towards recovery by accomplishment of the actions identified in the RIPRAP.

1.6 RECOVERY ACTION PLAN STRUCTURE

The substance of the RIPRAP is in Section 4.0, the Recovery Action Plans. It is here that the specific recovery actions are listed. The first Recovery Action Plan identifies general recovery program support activities important to the success of the Recovery Program. The following two Recovery Action Plans are for the Green and Colorado rivers and their subbasins in the Upper Basin. Each action plan is arranged by specific activities to be accomplished within the "recovery elements" listed below:

I. Identify and protect instream flows;
II. Restore and protect habitat;
III. Reduce negative impacts of nonnative fishes and sportfish management activities;
IV. Conserve genetic integrity and augment or restore populations;

V. Monitor populations and habitat and conduct research to support recovery actions;
VI. Increase public awareness and support for the endangered fishes and the Recovery Program(in the General Recovery Program Support Action Plan only); and
VII. Provide program planning and support (in the General Recovery Program Support Action Plan only).

The Recovery Action Plans (Section 4.0) have been formatted as tables for ease of scheduling and tracking activities. A general discussion of activities under each recovery element and of recovery priorities in each subbasin is found in Sections 2.0 and 3.0, respectively. Projected budgets are broken out in Section 5.0.

2.0 DISCUSSION OF RECOVERY ACTION PLAN ELEMENTS

The Recovery Action Plan tables contain only very brief descriptions of recovery actions planned in each subbasin. In this section, recovery activities are explained in more detail, as they apply Upper Basin wide.

2.1 I. IDENTIFY AND PROTECT INSTREAM FLOWS

Recovery cannot be accomplished without securing, protecting, and managing sufficient habitat to support self-sustaining populations of the endangered fishes. Identification and protection of instream flows are key elements in this process. The first step in instream-flow protection is to identify flow regimes needed by the fish. In the Recovery Program, determining flow needs is primarily the responsibility of the Service (in cooperation with other participants). Factors considered in determining flow needs include: flow effects on reproduction and recruitment; flow effects on food supplies and nonnative fishes; and interrelationships between flow and other habitat parameters believed to be important for the fish, such as channel structure, sediment transport, substrate characteristics, vegetative encroachment, and water temperature. Flow recommendations (for all or certain seasons) have been or are being developed for most river reaches targeted for recovery in the Upper Basin. Flow recommendations often are made in stages, with initial flow recommendations based on the best available scientific information, historic conditions, and extrapolation from similar reaches. Recommendations then are refined following additional field research. Downstream of Flaming Gorge Dam on the Green River and dams of the Aspinall Unit on the Gunnison River, test flows were provided while research was conducted to determine more precise flow recommendations. That research has been completed and final flow recommendations for the Green River downstream of Flaming Gorge Dam have been approved. Flow recommendations for the Gunnison River and Colorado River downstream of their confluence are in the review and revision process. Flow recommendations have been completed for the Colorado River upstream of the Gunnison River confluence to Rifle, Colorado, and for the Yampa River. Flow recommendations are being developed for the Little Snake, White and Duchesne rivers.

A strategic plan is being developed to identify geomorphic research needed to refine the flow recommendations and address the Recovery Goals.

Colorado

Flow protection mechanisms are organized according to their initial or dominant attribute. If a change in the ownership of a water right (by purchase, lease, etc.) is central to flow protection, then flow protection is placed under "Acquire." A change in water right ownership to protect flows will usually be accompanied by a legal proceeding to change the nature or use of the water right, but this proceeding is still considered to be part of the "acquisition" of flow protection. Except for acquisition of conditional water rights in Colorado, such water rights acquisition also will result in physical alteration of flow conditions and will not just protect existing conditions.

Where flow protection involves filing for a new water right, it is placed under "Appropriate." With this mechanism, the ownership of the water right is established in the first instance, rather than being conveyed to a subsequent owner. In Colorado, the appropriation of an instream water right follows a structured process developed by the Colorado Water Conservation Board (CWCB) in 1997. The process begins with a Service flow recommendation, which is reviewed by CWCB and the Colorado Division of Wildlife (CDOW). Then CWCB issues a notice of intent to appropriate, followed by their approval to appropriate. Finally, the Attorney General must make a water court filing to confirm the appropriation and to avoid postponement of the appropriation's priority date. It may take 3 to 4 years from the notice of intent to appropriate to obtain a decree from the water court, depending on the nature of any litigation over the filing. In appropriation, the water right will have a relatively junior priority date (the date CWCB issued the notice of intent to appropriate), and only existing flow conditions can be protected. In most cases, this process has lacked support and thus proven to have limited use in the Recovery Program. Therefore, the Recovery Program adopted a programmatic biological opinion (PBO) approach on the Colorado River and will apply a similar approach to other rivers (such as the Yampa and Gunnison). Recovery Program participants anticipate that this process will prove effective in protecting instream flows for the endangered fishes. The Recovery Program and CWCB will reevaluate the need for instream-flow filings 5 years after each PBO is in place.

Flows also may be protected through the physical alteration of flow conditions by reoperating a reservoir or other component of an existing or new water project. This kind of flow protection is placed under "Deliver" in the Recovery Action Plans and will usually involve both a change of water right ownership, including the lease of storage water, and a change in the legal nature of the water rights. (A management agreement between Federal agencies also may be involved, as in the case of the Aspinall Unit, and compensation will be required where storage water is already under contract.)

Utah

Legal protection of flows in Utah will be achieved differently than in Colorado. Several approaches can be taken under Utah water law to protect instream flows, including:

1) acquiring existing water rights and filing change applications to provide for instream flow purposes; 2) withdrawing unappropriated waters by governor's proclamation; 3) approving presently filed and future applications subject to minimum flow levels; and 4) with proper compensation, preparing and executing contracts and subordinating diversions associated with approved and perfected rights. Although current Utah water law may not fully provide for all aspects of instream-flow protection, Utah does believe they can provide an adequate level of protection.

Utah examined available flow protection approaches and determined that the strategy they will use most commonly will be to condition the approval of presently filed and new applications, making them subject to predetermined streamflow levels. To accomplish this, the State Engineer adds a condition of approval to water-right applications (within the area) filed after the policy is adopted. The condition states that whenever the flow of the Green River (or other streams) drops below the predetermined streamflow level, then diversions associated with water rights approved after the condition is imposed are prohibited. Based on past legal challenges to the State's authority to impose conditions associated with new approvals, it was determined that this is within the authority of the State Engineer. This approach does not specifically recognize an instream-flow right; however, it does protect the flows from being diverted and used by subsequently approved water rights. This approach was adopted as policy by the State Engineer. The policy requires that presently filed and new applications to be approved are subject to the summer and fall flow recommendations. As flow recommendations are finalized and accepted (e.g. winter and spring flows in the Green River), the policy will be applied to address those flows as well. This strategy of conditioning the approval of presently filed and new applications also may be combined with the others listed above and with appropriately contracted reservoir reoperations.

2.2 II. RESTORE AND PROTECT HABITAT

Important elements of habitat protection include restoring and managing in-channel habitat and historically flooded bottomland areas, restoring passage to historically occupied river reaches, preventing entrainment at diversion structures (if warranted), enhancing water temperatures, and reducing or eliminating the impacts of contaminants.

Historically, Upper Colorado River Basin floodplains were frequently inundated by spring runoff, but today much of the river is channelized by levees, dikes, rip-rap, and tamarisk. Fish access to these flooded bottomlands has been further reduced by decreased peak spring flows due to upstream impoundments. Numerous studies have suggested the importance of seasonal flooding to river productivity, and flooded bottomlands have been shown to contain large numbers of zooplankton and benthic organisms. Floodplain areas inundated and temporarily connected to the main channel by spring flows appear to be important habitats for all life stages of razorback sucker, and the seasonal timing of razorback sucker reproduction suggests an adaptation for utilizing these habitats. Restoring access to these warm and productive habitats would provide the growth and conditioning environments that appear crucial for recovery of self-sustaining razorback sucker populations. In addition, Colorado pikeminnow also

use these areas for feeding prior to migrating to spawning areas. Inundation of floodplain habitats, although most important for razorback sucker, would benefit other native fishes by providing growth and conditioning environments and by restoring ecological processes dependent on periodic river-floodplain connections. Restoration of floodplain habitats could be achieved through a combination of increased peak flows, prolonged peak-flow duration, lower bank or levee heights, and constructed inlets.

The Recovery Action Plans contain tasks to identify and restore important flooded bottomland habitats. During 1994, the Recovery Program completed an inventory of floodplain habitats for 870 miles of the Colorado, Green, Gunnison, Yampa, and White rivers. From the list of inventoried habitats, sites have been (and will continue to be) selected to visit and screen for acquisition and restoration potential. Site acquisition and restoration began in 1994 and will continue through at least 2003. Success will be measured by the response of the endangered fish populations.

The General Recovery Program Support Action Plan contains tasks to develop an issue paper on floodplain restoration and protection. This paper identified legal, institutional, and political strategies to enhance and protect floodplain habitats for the endangered fishes and ameliorate the effects of levees, diking, rip-rap, gravel mining, and other forms of floodplain development. Phase 1 of the issue paper identified what floodplain restoration and protection is needed for the endangered fishes; Phase 2 determined how to accomplish that restoration and protection. The issue paper evaluated responsibilities of the Recovery Program, Recovery Program participants, and other agencies involved in floodplain development, regulation, and management, and their roles and responsibilities with respect to endangered species.

Passage barriers have fragmented endangered fish populations and their habitats, resulting in confinement of the fishes to 20 percent of their former range. Blockage of Colorado pikeminnow movement by dams and water-diversion structures has been suggested as an important cause of the decline of this species in the Upper Basin (Tyus 1984; U.S. Fish and Wildlife Service 1991). Restoring access to historically occupied habitats via fish passage ways was identified in the Colorado Squawfish [Pikeminnow] Recovery Plan (U.S. Fish and Wildlife Service 1991) and in the recovery goals (U.S. Fish and Wildlife Service 2002c) as one of several means to aid in Colorado pikeminnow recovery.

The Recovery Action Plans contain tasks to assess and make recommendations for fish passage at various dams and diversion structures. The need for passage already has been determined at four sites: Redlands, Grand Valley Irrigation Company (GVIC), Price Stubb, and the Grand Valley Project. The need for passage at Hartland is being reassessed. Passage has been restored at the Redlands Diversion Dam on the Gunnison River and at the GVIC diversion on the mainstem Colorado River near Palisade, Colorado. Activities are underway to restore passage at Price-Stubb and the Grand Valley Project.

Diversion canals have been found to entrain native and endangered fishes. Construction of fish screens to prevent entrainment of adult and subadult fish is in the

planning and design stage at Tusher Wash, the Grand Valley Project, and Redlands. Construction of a screen at the GVIC diversion canal was completed in 2002. The need for screening at Hartland is being reassessed.

A number of potentially harmful contaminants (including selenium, petroleum derivatives, heavy metals, ammonia, and uranium) and suspected contaminant "hot spots" have been identified in the Upper Basin. It is the intent of the Recovery Program to support and encourage the activities of entities outside the Recovery Program that are working to identify problem sites, evaluate contaminant impacts, and reduce or eliminate those impacts.

2.3 III. REDUCE NEGATIVE IMPACTS OF NONNATIVE FISHES AND SPORTFISH MANAGEMENT ACTIVITIES

Fifty-two fish species occur in the Upper Basin, but only 13 of those are native species. Many of the nonnative fishes have been successful due to changes in the river system that favor their survival over that of native fishes. Competition with and predation by nonnative species (not including salmonids) is widely assumed to have played a role in the decline of the endangered fishes (Tyus and Saunders 1996). However, evidence of direct impacts of introduced species on native fishes is difficult to obtain (Schoenherr 1981) and often is masked by human-caused habitat alterations (Moyle 1976).

Recovery Program activities related to nonnative fishes initially focused on identifying impacts/interactions and developing nonnative fish stocking procedures. A nonnative fish control strategy has been developed to identify and prioritize options for controlling or removing nonnative fishes from river reaches occupied by the endangered fishes as well as other reaches that serve as production areas for nonnatives that subsequently disperse into occupied habitat. Through 2005, emphasis will be focused on the control activities identified in the strategy. All nonnative fish control activities will be evaluated for effectiveness and continued as appropriate.

The States and the Service also have developed final procedures for stocking of nonnative fishes in the Upper Basin. The procedures are designed to reduce the impact on native fishes due to stocking of nonnative fishes in the Upper Basin and clarify the role of the States, the Service, and others in the review of stocking proposals. A memorandum of understanding has been signed by the States and the Service implementing the Stocking Procedures.

2.4 IV. CONSERVE GENETIC INTEGRITY AND AUGMENT OR RESTORE POPULATIONS

Species recovery depends on protecting and managing species genetic resources. This is a complex activity that includes: determining the genetic stocks of the endangered fishes; protecting those stocks in refugia; planning, developing, and operating propagation facilities; propagating genetic stocks for research, information and education, and augmentation or restoration; and planning, implementing, and evaluating augmentation or restoration of genetic stocks in the wild. Stocking is only an interim

tool in the Recovery Program because recovery, by definition, implies that the populations or stocks will be self-sustaining in the wild. The success of augmentation and restoration stocking is dependent on prior or concurrent implementation of other recovery actions such as flow protection, habitat restoration, and management of nonnative fishes. This dependency is reflected in the schedule of subbasin-specific actions in Section 4.0.

The Recovery Program has recognized the need to increase augmentation and restoration stocking (primarily for razorback sucker and bonytail), both for recovery of the species and to establish fish in the system to be able to demonstrate that habitat and instream flow activities are having an effect on endangered fish recovery. Early stocking efforts concentrated on razorback sucker and bonytail. The Recovery Program now is concentrating on implementing an integrated stocking plan developed for bonytail, Colorado pikeminnow, and razorback sucker.

Studies to confirm genetic stocks have been vital to genetics management of the endangered fishes. Stocks are being protected in refugia to develop broodstocks and guard against catastrophe. Representatives of stocks thought to be in immediate danger of extinction are brought into refugia immediately. Refugia populations of genetic stocks are developed using paired breeding matrices to maximize genetic variability and maintain genetic integrity.

Most of this work is included under the General Recovery Program Support Action Plan because it applies Upper Basin wide. Subbasin-specific activities of augmenting or restoring genetic stocks are placed under the subbasin Action Plans. Augmentation or restoration plans are being implemented, fish produced, and river reaches restored and augmented with those fish. The effects of these augmentation efforts need to be monitored and evaluated.

Four basic documents are used to plan, implement, and coordinate genetics management and artificial propagation for the endangered fishes. These are the Genetics Management Guidelines, Genetics Management Plan, Annual Facilities Operations Plan, and Coordinated Hatchery Facility Plan (Facility Plan). All four of these plans have been developed and will be revised or updated as needed.

The Genetics Management Guidelines document provides the rationale, genetics concepts, and genetic risks to be considered in genetics-management planning and implementation. For example, it indicates that a fish population is the fundamental unit of genetics management and that it’s definition and characterization, relative to other populations, are important. Genetic surveys have been part of the identification and characterization process. Further, the prioritization and genetics management required for each population is determined by its relative population status, demographic trends, and genetics data derived from the surveys.

The Genetics Management Plan is the operational document. It tells the "what, who, when, where" of implementation. It identifies specific objectives, tasks, activities, and type of facilities necessary to accomplish Recovery Program goals, i.e., protect

population genetic integrity or restore a self-sustaining population in nature. It is the action plan developed for implementation, directed by the Recovery Program goals, and structured along the format presented in the Genetics Management Planning Guidelines document.

Genetics management requires a great deal of operational activity. Refugia and propagation facilities have been planned, built, and are now operated in a coordinated fashion. For this reason, the General Recovery Program Support Action Plan contains a task to produce an Annual Facilities Operational Plan. Based on the Genetics Management Plan, this Annual Facilities Operational Plan provides specific annual guidance for propagation: numbers of adults and family lots needed from each population, number of fish needed in each family lot, and where these fish will be raised and maintained.

Facilities are required to meet long-term (5 years or more; augmentation and restoration stocking) needs. The plans for these facilities are the Coordinated Hatchery Facility Plan and the Facilities Plan. These plans, in accordance with the Genetics Management Plan, define facilities required to meet propagation needs, identify fish needs that can be met by existing facilities, and recommend expansion or modification of existing facilities.

2.5 V. MONITOR POPULATIONS AND HABITAT AND CONDUCT RESEARCH TO SUPPORT RECOVERY ACTIONS

This category consists primarily of research and monitoring activities that have application to more than one of the foregoing elements. In the General Recovery Program Support Action Plan, this element includes: monitoring populations and habitat and annually assessing changes in habitat and population parameters (i.e., population estimates); determining gaps in existing life-history information and recommending and conducting research to fill those gaps; and improving scientific research and sampling techniques. Research activities are identified for each subbasin only to the extent that such activities are related to another recovery action in that subbasin. Such identification now, however, does not preclude further research in that subbasin that may be identified later or that is identified in the General Recovery Program Support Action Plan.

2.6 VI. INCREASE PUBLIC AWARENESS AND SUPPORT FOR THE ENDANGERED FISHES AND THE RECOVERY PROGRAM

Public information and education is crucial to the Recovery Program's success. A strategic, multi-faceted information and education program is being implemented to: develop public involvement strategies at the beginning of any and all projects; educate target audiences (including the public and elected officials) about endangered fish and increase their understanding of and support for the recovery of these fish at local, state and national levels; provide opportunities for the public to participate in activities that support recovery; and improve communication and cooperation among members of the Recovery Program.

Numerous site-specific activities are undertaken to promote understanding of, and support for, Recovery Program actions and to involve the public in decisions which may impact specific locations in the Upper Basin. These include public meetings, presentations, exhibits and distribution of Recovery Program publications.

The information and education program continues to develop a number of products including a newsletter (two to three times per year); up-to-date fact sheets; educational video(s); interpretive signs and displays; bookmarks; Congressional briefing documents; and a public website. In addition, the Recovery Program actively seeks news media coverage of its activities. Special educational publications are produced as needed.

2.7 VII. PROVIDE PROGRAM PLANNING AND SUPPORT

This work also is placed entirely under the General Recovery Program Support Action Plan. Recovery Program planning and support includes planning and tracking recovery activities, participation in Recovery Program committees, and managing, directing, and coordinating the overall Recovery Program. Another important program support activity involves securing the funding necessary to implement the Recovery Program.

3.0 DISCUSSION OF SUBBASIN RECOVERY PRIORITIES

Following is a summary of the importance of the various subbasins in the Upper Colorado River Basin to the endangered fishes and a brief discussion of the major actions directed at recovering the endangered fishes in these subbasins. A more detailed accounting of the activities, including funding requirements and schedules is found in Sections 4.0 and 5.0.

3.1 GREEN RIVER

3.1.1 Importance

The Green River system supports populations of humpback chub, Colorado pikeminnow, and razorback sucker, and it historically supported bonytail. The importance of the Green River to the endangered fishes has been established by the Recovery Program and recognized by many biologists. The Colorado Squawfish [Pikeminnow] Recovery Plan (U.S. Fish and Wildlife Service 1991) listed the Green River as the highest priority area for recovery of the species, and the recovery goals (U.S. Fish and Wildlife Service 2002c) consider the Green River subbasin as the center of the Upper Basin Colorado pikeminnow metapopulation. Habitat in Desolation and Gray canyons supports a self-sustaining humpback chub population, and the last known riverine concentration of bonytail was in the Green River within Dinosaur National Monument (U.S. Fish and Wildlife Service 1990a, 1990b, 2002a, 2002b). Recovery plans for humpback chub (U.S. Fish and Wildlife Service 1990a) and bonytail (U.S. Fish and Wildlife Service 1990b) identified the Green River in Desolation and Gray canyons and in Dinosaur National Monument as important to recovery. The Green River

supports the largest known wild population of razorback sucker in their natural riverine habitat (Lanigan and Tyus 1989; U.S. Fish and Wildlife Service 1998, 2002d).

3.1.2 Recovery Actions

Recovery actions in the Green River have focused on refining the operation of Flaming Gorge dam to enhance habitat conditions for the endangered fishes. A biological opinion was issued on the operation of Flaming Gorge Dam in 1992. This opinion contained seasonal flow recommendations for the Green River at Jensen, Utah, and called for additional research under a specific set of research flows to collect information needed to refine the flow recommendations (particularly flow recommendations for spring and winter) and to develop flow recommendations for other areas of the Green River. The effects of the test flows on the endangered fishes and their habitat were evaluated through a variety of studies through 1997, and a final report including revised flow recommendations has been completed (Muth et al. 2000). National Environmental Policy Act (NEPA) compliance on reoperation of Flaming Gorge Dam is ongoing and is expected to be completed in 2004. A new biological opinion will be completed following NEPA compliance; however, this will not prevent operation of the dam in accordance with the 1992 opinion in the interim.

Flow recommendations also have been or are being developed for some tributaries to the Green River, such as the Yampa, White, and Duchesne rivers. Tributary and mainstem flow recommendations will be carefully coordinated to address recovery needs from an Upper Basin wide perspective.

An element of the 1992 Flaming Gorge Dam biological opinion identified the need to protect dam releases from possible diversion in the occupied habitat of the endangered fishes. The initial focus of this effort was to legally protect Flaming Gorge releases in the Green River down to the confluence of the Duchesne River for the months of July through October. Flow protection for the remainder of the year (November–June) and downstream to Canyonlands National Park will be addressed by Utah following issuance of the final Environmental Impact Statement and biological opinion on reoperation of Flaming Gorge Dam.

Other Green River activities will involve restoration of bottomlands adjacent to the Green River that flood in the spring and provide important habitat for razorback sucker and Colorado pikeminnow. Four sites (including Old Charlie Wash) on the Ouray National Wildlife Refuge near Ouray, Utah, and five sites on Bureau of Land Management lands have been restored. Perpetual easements have been acquired on five properties (545 acres).

Projects to identify nonnative fish control strategies for the middle Green River have been implemented. Active control of northern pike (*Esox lucius)* began in 2001. Active control of channel catfish in Desolation and Gray canyons will begin in 2003.

Refuge (captive) populations of razorback sucker collected from the Green River are being maintained at the Ouray National Fish Hatchery, Ouray, Utah, with backup

broodstock being maintained at Wahweap State Fish hatchery, Big Water, Utah. A plan for augmenting razorback sucker in the Green River using hatchery propagated fish was developed and is currently being implemented. Stocking of bonytail in Lodore Canyon was initiated in 2000 in accordance with a stocking plan developed by the State of Colorado. The State of Utah stocking plan requires the stocking of bonytail and razorback sucker in the Green River near Jensen and Green River, Utah.

Population estimates began in 2001 for Colorado pikeminnow in the entire Green River subbasin and for humpback chub in Desolation and Gray canyons.

Contamination of water in Stewart Lake and Ashley Creek near Jensen, Utah, with selenium may adversely affect razorback sucker. The Service, U.S. Environmental Protection Agency, and U.S. Bureau of Reclamation (Reclamation) are actively pursuing clean-up activities in these areas independent of the Recovery Program.

3.2 YAMPA RIVER AND LITTLE SNAKE RIVER

3.2.1 Importance

The Yampa River is the largest remaining essentially unregulated river in the Upper Colorado River Basin, and its inflow into the Green River, 65 miles downstream of Flaming Gorge Dam, ameliorates some effects of dam operation on river flow, sediment load, and temperature (Muth et al. 2000). Holden (1980) concluded that flows from the Yampa River, especially spring peak flows, were crucial to the maintenance of the Green River's "large-river" characteristics and, therefore, very important to maintaining suitable conditions in the Green River downstream of the confluence. The Yampa River supports resident subadult and adult Colorado pikeminnow, contains one of the primary Colorado pikeminnow spawning areas in the Upper Basin and is a major producer of fish for the entire Green River subbasin (Tyus and Karp 1989). A small but apparently self-sustaining population of humpback chub exists in the Yampa River in Dinosaur National Monument (Tyus and Karp 1989; U.S. Fish and Wildlife Service 1990a, 2002a). Spawning aggregations of adult razorback sucker have been observed near the mouth of the Yampa River, and adult razorback sucker have been captured upstream to the mouth of the Little Snake River (Tyus and Karp 1989). The lower portion of the Yampa River was part of the historic range of bonytail and is associated with some of the most recent captures of this very rare fish. The Bonytail Recovery Plan (U.S. Fish and Wildlife Service 1990b) identified the Yampa River within Dinosaur National Monument as a high priority recovery and/or restoration site.

The Little Snake River provides approximately 28% of the Yampa River's flow and 60% of the Yampa River's sediment supply. The sediment supply of the Little Snake River is believed to be important to the maintenance of backwater nursery areas utilized by young Colorado pikeminnow in the Green River (Smith and Green 1991). Adult Colorado pikeminnow have been captured in the Little Snake River upstream to near Baggs, Wyoming, and humpback chub have been captured in the lower 10 miles of the Little Snake River (U.S. Fish and Wildlife Service 2002a, 2002c).

3.2.2 Recovery Actions

Recovery actions in the Yampa River are focused on control of nonnative fishes and maintaining and legally protecting the flow regime required to recover the endangered fishes. To achieve these objectives, the Recovery Program is participating in the development of a Yampa River Management Plan. The purpose of the plan is to identify management actions necessary to provide and protect the needs of the endangered fishes while existing depletions for human use continue and water resources are developed to serve foreseeable future human needs in the Yampa River basin.

Colorado filed for a junior instream-flow water right for the Yampa River between the confluences of the Williams Fork and Little Snake rivers in December 1995. Forty-eight statements of opposition were filed against these filings in State water court.

As a result of concerns expressed by the Service and other Program participants, CWCB withdrew the baseflow and recovery flow instream-flow filings on the Yampa and Colorado rivers. With the recent approval of the PBO for the upper Colorado River upstream of the Gunnison River confluence, CDOW staff has been instructed to develop new flow recommendations. The current methodology for instream flow filings may not apply to warm-water rivers and is under review by CDOW.

Beginning 5 years after the Management Plan and a PBO are completed for the Yampa River, the Recovery Program and CWCB will review CDOW's new flow recommendations and the performance progress of the PBO. During the fourth year of the first 5-year period, the Recovery Program and CWCB will develop a process for assessing the need for further instream-flow protection for the endangered fishes. On completion of this review, a determination will be made regarding the need for additional instream-flow protection for the endangered fishes.

The Recovery Program has evaluated several low-head agricultural-water diversion dams on the Yampa River for Colorado pikeminnow passage. A variety of existing diversions between Craig, Colorado, and Dinosaur National Monument were inventoried in 1994–1995. Several diversions were identified as possible barriers to fish migration under certain conditions. However, due to uncertainties about whether these diversions were in fact barriers to Colorado pikeminnow movement during the migration period, a study was conducted to determine threshold flows for adult Colorado pikeminnow passage on the Yampa River between Craig and Dinosaur National Monument. It was determined that these barriers present little if any problem to fish movement during the periods when Colorado pikeminnow migrate to and from spawning habitats downstream.

In studies on the Green River, researchers documented that young Colorado pikeminnow constituted 5% of the diet of northern pike, even though young Colorado pikeminnow made up a much smaller portion of the available food base in the river. Researchers estimated that a single northern pike could consume 100 or more young Colorado pikeminnow per year. Also, northern pike are known to prey on native

roundtail chub (*Gila robusta*) and may also feed on humpback chubs in the Yampa River. Colorado has completed a fisheries management plan for the Yampa River basin. The Recovery Program began removing nonnative sportfish from certain reaches of the Yampa River to more acceptable waters in 1999.

Initial flow recommendations for the Little Snake River will be developed and opportunities for improving late summer-early fall base flows will be evaluated in 2003. Beginning 5 years after the Management Plan and a PBO are completed for the Yampa River, the Recovery Program and CWCB will review CDOW's new flow recommendations and the performance progress of the PBO. During the fourth year of the first 5-year period, the Recovery Program and CWCB will develop a process for assessing the need for further instream-flow protection for the endangered fishes. On completion of this review, a determination will be made regarding the need for additional instream-flow protection for the endangered fishes.

Colorado has prepared a plan to stock bonytail in the Yampa River. Stocking of bonytail was initiated in 2000, with 5,000 fish acclimated and then released in the Echo Park area of the Yampa River; another 5,000 fish were stocked in 2001.

3.3 DUCHESNE RIVER

3.3.1 Importance

Colorado pikeminnow and razorback sucker regularly utilize the mouth of the Duchesne River especially during spring runoff. Fishery surveys conducted in 1993 documented the use of the lower 15 miles of the Duchesne River by Colorado pikeminnow and razorback sucker. More recently, fish surveys have been conducted in the lower 33 miles of the Duchesne River and have documented seasonal use by Colorado pikeminnow and razorback sucker.

3.3.2 Recovery Actions

Initial flow recommendations were developed for the Duchesne River in 1995 to address immediate concerns of several proposed water projects being considered in the Duchesne River basin. A follow-up study to evaluate and refine these flow recommendations began in 1997 and will be completed in 2003. A water-availability study was completed that identified sources of water to meet the flow recommendations. The Duchesne Biological Opinion was issued in 1998. A coordinated reservoir operations study is nearing completion. Agreements will be developed to provide flows in the Duchesne River for the endangered fishes.

Active control of nonnative fishes will begin in 2003. A study to determine escape of nonnative fishes from Starvation Reservoir was begun in 2002.

3.4 WHITE RIVER

3.4.1 Importance

Adult Colorado pikeminnow occupy the White River downstream of Taylor Draw Dam near Rangely, Colorado, in relatively high numbers. Adult Colorado pikeminnow resident to the White River spawn in the Green and Yampa rivers. Juvenile and subadult Colorado pikeminnow also utilize the White River on a year-round basis. Incidental captures of razorback sucker have been recorded in the lower White River. Construction of Taylor Draw Dam in 1984 blocked Colorado pikeminnow migration to upper portions of the White River.

3.4.2 Recovery Actions

A work plan for the White River was developed to synthesize current information about the endangered fish and provide recommendations for specific recovery actions, including the merits of providing fish passage at Taylor Draw Dam. Interim flow recommendations for the White River will be available in 2003. Instream-flow filings are on hold pending reevaluation of how flows will be legally protected in Colorado.

3.5 COLORADO RIVER

3.5.1 Importance

The mainstem Colorado River from Rifle, Colorado, to Lake Powell, Utah, supports populations of humpback chub and Colorado pikeminnow, and is recognized as important to the recovery of all four endangered fishes (U.S. Fish and Wildlife Service 1990a, 1990b, 1991, 1998, 2002a, 2002b, 2002c, 2002d). Relatively large and healthy humpback chub populations occur at Black Rocks and Westwater Canyon near the Utah-Colorado state line. A smaller humpback chub population occurs in Cataract Canyon, and some of the last wild bonytail were collected in this river reach. All life stages of Colorado pikeminnow occur in the section of river from Palisade, Colorado, downstream to Lake Powell. Colorado pikeminnow are being translocated and stocked into the upper reach of the Colorado River between Palisade and Rifle, Colorado; natural access to this historic-habitat reach has been blocked since the early 1900's by three diversion dams near Palisade. Razorback sucker populations in the mainstem Colorado River have declined precipitously in the past 20 years. In 1993, 67 adult razorback sucker were collected from isolated ponds adjacent to the Colorado River near Debeque, Colorado. Only a few wild adult razorback sucker have been captured from the river in the past 5 years, and there is no evidence of successful reproduction in the Colorado River. A few (less than 10) suspected wild bonytail have been captured from the Colorado River in the Black Rocks area, near Moab, Utah, and in Cataract Canyon over the past decade. However, this represents the highest catch rate of bonytail anywhere in the Upper Basin.

3.5.2 Recovery Actions

A variety of recovery actions are planned, ongoing, or completed for the Colorado River. Numerous approaches are being taken to restore flows in the 15-mile reach immediately upstream of from the confluence of the Gunnison River to levels recommended by the Service. Reclamation has made available 5,000 acre-feet annually plus an additional 5,000 acre-feet 4 out of 5 years from Ruedi Reservoir to support flow augmentation in the 15-mile reach during July, August, and September. In addition, water made available by the leases for release of 10,825 acre-feet/year of water from Ruedi Reservoir and the permanent dedication of 10,825 acre-feet/year from Colorado Water Division Number 5 facilities will be delivered and protected to the 15-mile reach during the late summer period. Memoranda of Agreement (MOA) with the Colorado River Water District (CRWCD) and Denver Water were executed in 2000 for the delivery of 5,412 acre-feet of water from Wolford Mountain and Williams Fork reservoirs. These agreements will accommodate environmental commitments agreed to by Reclamation in the Environmental Impact Statement on Round II sales and any constraints of the reservoir's authorizing legislation. Additional water is being provided through an MOA with CRWCD for delivery of up to 6,000 acre-feet of water from Wolford Mountain Reservoir.

In 1992, Colorado filed an application in State water court for a 581 cubic feet per second (cfs) instream-flow right in the 15-mile reach for the months of July, August, and September. A final decree was issued in 1997. Colorado filed for a junior instream-flow right for the 15-Mile Reach in December 1995, which was opposed in State water court.

As a result of concerns expressed by the Service and other Recovery Program participants, CWCB withdrew the baseflow and recovery flow instream-flow filings on the Colorado and Yampa rivers. With the approval of the PBO for the upper Colorado River upstream of the Gunnison River confluence, CDOW staff has been instructed to develop new flow recommendations. The current methodology for instream-flow filings may not apply to warm-water rivers. Based upon these developments, the Recovery Program's Management Committee has agreed that the need for further instream-flow filings will be evaluated every 5 years.

Beginning in 2005, the Recovery Program and CWCB will review CDOW's new flow recommendations and the performance progress of the PBO. On completion of this review, a determination will be made regarding the instream-flow protection needs for the endangered fishes. During the fourth year (2004) of the first 5-year period, the Recovery Program and CWCB will develop a process for assessing the need for further instream-flow protection for the endangered fishes.

Flow protection for the Colorado River downstream from the confluence of the Gunnison River will be addressed following completion of the Biological Opinion on reoperation of the Aspinall Unit.

Other sources of water for the 15-mile reach include construction of the Grand Valley Water Management Project and operation of Federal and private projects. A study of options for providing additional water primarily to augment spring peak flows will be completed in 2003.

Reclamation has constructed a fish passage at the GVIC diversion dam, is preparing the environmental assessment for a passage structure at the Price-Stubb diversion dam, and has initiated plans for passage at the Grand Valley Project on the upper Colorado River. Successfully providing fish passage at these diversion dams would benefit both Colorado pikeminnow and razorback sucker by providing access to approximately 50 miles of the river that was used historically by these fishes. To prevent entrainment of endangered fishes into diversion canals, a fish screen has been constructed at GVIC and is planned for the Grand Valley Project. Four floodplain sites on the Colorado River have been restored: a gravel pit at 29 5/8 Road in Grand Junction; a site at Walter Walker State Wildlife Area on the Colorado River downstream from Grand Junction; an area near Adobe Creek downstream from Walter Walker; and the Jarvis Site in Grand Junction. Perpetual easements have been acquired on four properties (79 acres); two properties have been acquired in fee (171 acres).

Active control of channel catfish will begin in 2003. Operation of the fish barrier net at Highline Reservoir has been ongoing since 1999. CDOW will begin a study to determine the source of centrarchid fishes in 2003.

Broodstock/refuge populations of Colorado pikeminnow and razorback sucker have been developed from Colorado River and Green River stocks. Colorado pikeminnow are currently being translocated and razorback sucker are currently being stocked upstream of in-channel barriers to utilize more historic habitat. Colorado has prepared a plan to stock bonytail in the Colorado River and stocking occurred for the first time in 2001.

3.6 GUNNISON RIVER

3.6.1 Importance

The Gunnison River is currently occupied by wild Colorado pikeminnow and is historic habitat for razorback sucker and bonytail. Several adult Colorado pikeminnow were captured in the Gunnison River in fishery surveys conducted in 1992 and 1993. Unrestricted migration of fish has been limited by the 10-foot high Redlands diversion dam located 2 miles upstream from the mouth of the Gunnison River. Several Colorado pikeminnow larvae have been collected in the Gunnison River immediately downstream from the Redlands diversion dam. Kidd (1977) reported that adult razorback sucker were collected frequently by commercial fishermen near Delta, Colorado, between 1930 and 1950. Wild razorback sucker have not been collected in the Gunnison River in recent times, although the reach near Delta is considered a priority razorback sucker restoration site.

3.6.2 Recovery Actions

Recovery activities on the Gunnison River are focused on operating and evaluating a fish ladder at the Redlands diversion dam, reoperating the Aspinall Unit to improve flow/habitat conditions in the Gunnison River, and restoring flooded bottomland habitats near Delta. Perpetual easements have been acquired on three properties (198 acres). Construction of a fish ladder at the Redlands diversion dam was completed in 1996 and has provided for passage of Colorado pikeminnow, razorback sucker, and other native fishes (as well as allowing exclusion of nonnative fishes). The need for fish passage at Hartland diversion is being reassessed. To prevent entrainment of adult and subadult endangered fish into diversion canals, fish screens will be installed at Redlands and perhaps Hartland.

A 5-year research plan to evaluate the effects of the Aspinall Unit on the endangered fishes and their habitat was completed in 1997. During this research period, Reclamation and Western Area Power Administration provided test flows. The research culminated with the Service drafting flow recommendations in 2001. After these flow recommendations are finalized, Reclamation will undergo NEPA and the Service will issue a biological opinion. Legal protection of Aspinall releases and State protection of instream flows in the Gunnison River will be addressed as the biological opinion on the Aspinall Unit is developed.

Beginning in 1995, the Service experimentally stocked razorback sucker in the Gunnison River near Delta. Five razorback sucker used the Redlands fish ladder in summer 2001 (one of which was stocked in 1996), and one razorback sucker used the ladder in 2002. The State of Colorado stocking plan for razorback sucker was revised in 2001 to stock fewer but larger fish. Eight larval razorback sucker were discovered in the Gunnison River in 2002, indicating that stocked fish are reproducing.

3.7 DOLORES RIVER

3.7.1 Importance

The Dolores River is historic habitat for Colorado pikeminnow; both adult and young-of-the-year fish were captured in the 1950's and 1960's. Recent studies have only documented Colorado pikeminnow use in the lower 1 mile of the river (Valdez et al. 1991). Uranium processing facilities operated during the late 1940's through the 1960's severely impacted the river and may have contributed to the decline of Colorado pikeminnow in the Dolores River drainage.

3.7.2 Recovery Actions

Recovery actions for the Dolores River drainage have been limited to preventing escapement of nonnative sport fish (e.g., smallmouth bass *Micropterus dolomieu*, yellow perch *Perca flavescens*, kokanee salmon *Oncorhynchus nerka*.) from McPhee Reservoir. Environmental contaminant clean-up is being pursued by State and Federal agencies independent of the Recovery Program. Inflows from the Dolores River that

are necessary to recover the endangered fishes on the mainstem of the Colorado River will need to be legally protected.

4.0 RECOVERY ACTION PLANS

The tasks in these Recovery Action Plans are prioritized by their schedules. Schedules are shown where they have been identified (if all the year columns for an activity are blank, then the activity has not yet been scheduled). If a completion date has been identified, it is shown under the appropriate fiscal year. Where specific dates have not been identified, but an action is ongoing, beginning, or ending in a year, an "X" appears in that year's column. The "who" column identifies the lead responsible agency (listed first) and any cooperating agencies. The status column is used where additional narrative is needed to explain the duration, status, etc. of an activity. Once again, the carat ">" identifies those recovery actions which are expected to result in a measurable population response, a measurable improvement in habitat for the fishes, legal protection of flows needed for recovery, or a reduction in the threat of immediate extinction. An asterisk (*) identifies those activities which will contribute to the RIPRAP serving as a reasonable and prudent alternative to the likely destruction or adverse modification of critical habitat.

The Recovery Action Plans are formatted in stepdown-outline tables. This is reflected in the numbering system and indenting. Some actions which assess options or the feasibility of a recovery action are followed by a subsequent implementation step, and others are not, depending on how feasible the implementation step is considered to be at this time.

The following abbreviations are used to identify lead/cooperating agencies:

BR	U.S. Bureau of Reclamation
CO	State of Colorado
CDA	Colorado Department of Agriculture
CDOPR	Colorado Division of Parks and Outdoor Recreation
CDOW	Colorado Division of Wildlife
CRWCD	Colorado River Water Conservation District
CWCB	Colorado Water Conservation Board
FWS	U.S. Fish and Wildlife Service
	-ES Ecological Services
	-FR Fishery Resources
	-RW Refuges and Wildlife
	-WR Water Resources
LFL	Larval Fish Laboratory
NWCD	Northern Water Conservancy District
PD	Recovery Program Director
TBD	To be determined
UT	State of Utah
UDWR	Utah Division of Wildlife Resources
UTWR	Utah Division of Water Resources
WYGF	Wyoming Game and Fish Department

5.0 RECOVERY ACTION PLAN PROJECTED FUNDING NEEDS (IN THOUSANDS)

ANNUAL OPERATING COSTS & FACILITY O&M:	Total					FY03	FY04	FY05	FY06	FY07	FY08
Estimated Annual Operating Costs and Facility Operation & Maintenance	17,418					5,709	5,782	5,927	6,075	6,227	6,382

CAPITAL FUNDING:	Total	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
Yampa River Management Plan & Elkhead Screen	11,427	113	92	0	65	747	3,281	3,885	2,323	805	116
Grand Valley Water Management	6,372	97	3,427	1,275	175	300	1,098				
Coordinated Reservoir Operations	346	245	101								
Ruedi Water and Steamboat sales	235	126	109								
Acquire New Water to Enhance Flows	1,088	42	40	92	20						894
Bottomlands Restoration	7,685	2,847	2,069	1,055	795	919					
Hartland Fish Passage	1,800	57		1				75	817	850	
GVIC Fish Passage	58	28				30					
Price/Stubb Fish Passage	3,100	175	200	240	5	5	1,405	1,070			
Gov't Highline (Roller Dam) Passage	3,176	52	75	114	160	200	1,000	1,575			
Redlands Screening	4,048	6	7		15	370	1,250	2,400			
Hartland Fish Screening	200							45	155		
GVIC Fish Screening	2,718	2	198	410	2,108						
Gov't Highline (Roller Dam) Screening	7,006			22	284	3,500	3,200				
Tusher Wash Screening	4,108	31	5	44	3	25			350	1800	1850
Endangered Fish Hatchery Facilities	4,497	2,077	898	676	196	448		202			
Nonnative Fish Control	1,224	172	192	300	329	231					
Highline Reservoir Screening	260	255	5								
Capital Program Management	2,365	405	400	310	400	400	250	200			
Public Involvement Plans	286	79	44	31	30	32	35	35			
Total	62,000	6,809	7,862	4,570	4,585	7,208	11,519	9,487	3,645	3,455	2,860

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APPENDIX: CRITICAL HABITAT ANALYSIS

BACKGROUND

The final rule determining critical habitat for the four endangered fishes was published in the Federal Register on March 21, 1994, and the final designation became effective on April 20, 1994. As stated in the Section 7 Agreement and in the RIPRAP, the Recovery Program is intended to serve as the reasonable and prudent alternative to avoid the likely destruction or adverse modification of critical habitat, as well as to avoid the likelihood of jeopardy to the continued existence of the endangered fishes resulting from depletion impacts of new projects and all existing or past impacts related to historic water projects with the exception of the discharge by historic projects of pollutants such as trace elements, heavy metals, and pesticides. Once critical habitat was designated, the Service reviewed the RIPRAP, and in coordination with the Recovery Program's Management Committee, developed modifications to fulfill this intent.

The Service's review concluded that many of the actions in the existing RIPRAP would not only contribute to allowing the Recovery Program to continue to serve as the reasonable and prudent alternative to avoid the likelihood of jeopardy to the continued existence of the endangered fishes, but also would avoid the likely destruction or adverse modification of critical habitat for the endangered fishes. Specifically, the RIPRAP already included several of the following kinds of habitat-related actions for each subbasin (except the Dolores River): instream-flow acquisition, legal protection, and delivery from modified reservoir operations; fish passage restoration; and flooded bottomland restoration. Thus, the critical habitat modifications to the RIPRAP were not extensive. They were primarily intended to provide further definition to recovery actions already in the RIPRAP and to provide increased certainty that the Recovery Program can continue to serve as the reasonable and prudent alternative for projects subject to Section 7 consultations. Since many historic projects will be required to reinitiate Section 7 consultation with the Service due to the critical habitat designation, the Service encouraged Recovery Program participants to complete these RIPRAP actions as quickly as possible to facilitate fish recovery.

Destruction or adverse modification of critical habitat is defined at 50 CFR 402.02 as a direct or indirect alteration that appreciably diminishes the value of critical habitat for both the survival and recovery of a listed species. Section 7 consultation is initiated by a Federal agency when its action may affect critical habitat by impacting any of the primary constituent elements or reducing the potential of critical habitat to develop those elements. The primary constituent elements defined in the final rule as necessary for survival and recovery of the four Colorado River endangered fishes include, but are not limited to, 1) water (quantity and quality), 2) physical habitat (areas inhabited or potentially habitable, including river channel, bottom lands, side channels, secondary channels, oxbows, backwaters, and other areas); and 3) biological environment (food supply, predation, and competition). The Service reviewed the RIPRAP to determine if it addressed these constituent elements and to identify existing and new actions that will contribute to the RIPRAP serving as a reasonable and prudent alternative to the likely destruction or adverse modification of critical habitat. Then, in coordination with the Management Committee, the Service recommended additions

needed to address all of the constituent elements, to better define the expected result of the recovery action, and to increase the certainty that the constituent elements of critical habitat would be protected.

MODIFICATIONS

1. Instream Flow Protection: Modifications were made under this recovery element to protect the water quantity constituent element.

    a. Adjudication of the instream-flow appropriations to be filed by the Colorado Water Conservation Board (on the Yampa, Little Snake, White, Colorado, and Gunnison rivers) was added since these instream-flow appropriation filings will not be legally protected until they are adjudicated in water court. Adjudication may take up to three years after filing, depending on the amount of litigation.

    b. To provide more immediate habitat improvements in the Grand Valley area via instream flows, a modification was made under water acquisition for the 15-mile reach to enter into an interim agreement for uncommitted water remaining in Ruedi Reservoir after Round II water sales are completed or commitments to contracts are agreed to. If flow recommendations for the 15-mile reach are met from other sources during this interim agreement (thereby causing the additional water from Ruedi to exceed the flow recommendations), Ruedi would be relieved of this additional obligation. At the end of the interim agreement (whether the flow recommendations have been met or not), Reclamation may pursue additional water sales; however, these sales would be subject to review under Section 7 of the Endangered Species Act.

2. Habitat Restoration: Modifications were made under this recovery element to protect the physical habitat constituent element.

    a. Access to historically inundated floodplain habitats is believed to be very important to recovery of the razorback sucker and Colorado pikeminnow. Although the Recovery Program has begun a program to evaluate and restore flooded bottomland areas, the fish's riverine habitat has been and continues to be so channelized by levees, dikes, rip-rap, and tamarisk, that broader floodplain restoration and protection (e.g., through mechanisms such as landowner incentives, conservation easements, and perhaps zoning) is needed. Recovery Program participants were not sure exactly how such mechanisms might be implemented, so an issue paper on restoration and protection of the floodplain has been developed. The issue paper first addressed what restoration and protection measures are needed and then how they might be accomplished. After completion of the issue paper, viable options were identified and a restoration strategy developed for selected geographic areas (e.g. Grand Valley and Ashley Valley). Floodplain restoration activities may be implemented by the Recovery

Program or by Recovery Program participants individually. Responsibilities of other agencies were identified in the issue paper, and actions were implemented consistent with authorities outside the Recovery Program.

b. The Recovery Program has been evaluating agricultural diversion structures in the Yampa River and has discovered that although not all of these structures impede Colorado pikeminnow passage, annual bulldozing in critical habitat in the river required to maintain many of these structures may destroy or adversely modify fish habitat. Upgrading these structures so that they are more secure would eliminate the need for annual bulldozing and consequent adverse modification of critical habitat.

c. Fish passage structures are planned for a number of diversion dams in the Upper Basin in the current RIPRAP. However, without screens or "entrainment preclusion structures," adult fish, especially razorback sucker, may go into the diversion canals. To keep fish in the more secure river habitat, a modification was made to include an entrainment preclusion structure on the proposed passage structure at the Grand Valley Project diversion (Roller Dam). Also, the need for an entrainment preclusion structure at Redlands diversion dam will be evaluated after construction of the fish ladder there.

3. Reduction of Negative Impacts of Nonnative Fishes and Sportfish Management Activities: Modifications were made under this recovery element to protect the constituent element of the fishes biological environment.

a. Competition with and predation by introduced species is widely assumed to have played a role in the decline of the endangered fishes. The Recovery Program has been and continues to assess options to reduce negative impacts of problematic nonnative species, sportfish management, and angling mortality. Although we cannot yet fully predict the results of implementing some of these management options, we need to begin to implement the most viable ones. Therefore, actions have been added to implement (in cooperation with the States) viable measures which will decrease negative impacts of certain nonnative fishes, sportfish management, and angling mortality. Specific actions were added to selectively remove northern pike from the Yampa River and northern pike and centrarchids from the Gunnison River and possibly Paonia Reservoir.